

ORDINANCE NO. 08-21

ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA AUTHORIZING THE MAYOR AND THE CITY CLERK, AS ATTESTING WITNESS, ON BEHALF OF THE CITY, TO ENTER INTO A LEASE AGREEMENT BETWEEN THE CITY, AS LANDLORD, AND KATHERINE ELIZABETH FOUNDATION, INC., A FLORIDA NOT-FOR-PROFIT, AS TENANT, FOR USE OF OFFICE SPACE CONSISTING OF 420 SQUARE FEET AT THE BLANCHE MORTON NEIGHBORHOOD SERVICE CENTER, LOCATED AT 300 EAST 1 AVENUE, HIALEAH, FLORIDA, FOR A PERIOD OF ONE YEAR, COMMENCING ON MARCH 1, 2008 AND ENDING ON FEBRUARY 28, 2009, FOR AN ANNUAL AMOUNT OF \$4,200.00, PAYABLE IN EQUAL MONTHLY RENTAL PAYMENTS, WITH TWO SUCCESSIVE ONE-YEAR RENEWALS WITH A 5% INCREASE IN RENT FOR EACH REWEWAL PERIOD, IN THE FORM AS ATTACHED HERETO AS EXHIBIT "1"; PROVIDING PENALTIES FOR VIOLATION HEREOF; PROVIDING FOR A SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City desires to enter into a lease agreement with Katherine Elizabeth Foundation, Inc., to rent office space to a not-for-profit organization that provides support and counseling services for families coping with a miscarriage, stillbirth or newborn death or pre-natal diagnosis that could result in death.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, THAT:

Section 1: The City of Hialeah, Florida hereby authorize the Mayor and the City Clerk, as attesting witness, on behalf of the City, to enter into a lease agreement between the City of Hialeah, as landlord, and Katherine Elizabeth Foundation, Inc., as tenant, for use of office space consisting of 420 square feet at the Blanche Morton Neighborhood Service Center, located at 300 East 1 Avenue, Hialeah, Florida, for a period of one year, commencing on March 1, 2008 and ending on February 28, 2009, for an annual amount of \$4,200.00, payable in equal monthly rental payments, with two successive renewals with a 5% increase in rent for each renewal period, in the form as attached hereto as Exhibit "1".

Section 2: Penalties.

Every person violating any provision of the Code or any ordinance, rule or regulation adopted or issued in pursuance thereof shall be punished by a civil penalty not

to exceed \$500.00 within the discretion of the court or administrative tribunal having jurisdiction. Each act of violation and each day upon which any such violation shall occur shall constitute a separate offense. In addition to the penalty prescribed above, the city may pursue other remedies such as abatement of nuisance, injunctive relief, administrative adjudication and revocation or suspension of licenses or permits.

Section 3: Severability Clause.

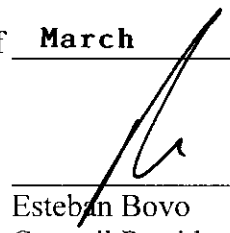
If any phrase, clause, sentence, paragraph or section of this ordinance shall be declared invalid or unconstitutional by the judgment or decree of a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance.

Section 4: Effective Date.

This ordinance shall become effective when passed by the City Council of the City of Hialeah, Florida and signed by the Mayor of the City of Hialeah, Florida or at the next regularly scheduled City Council meeting, if the Mayor's signature is withheld or if the City Council overrides the Mayor's veto.

PASSED AND ADOPTED this 25th day of March, 2008.

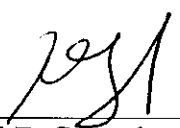
THE FOREGOING ORDINANCE
OF THE CITY OF HIALEAH WAS
PUBLISHED IN ACCORDANCE
WITH THE PROVISIONS OF
FLORIDA STATUTE 166.041
PRIOR TO FINAL READING.



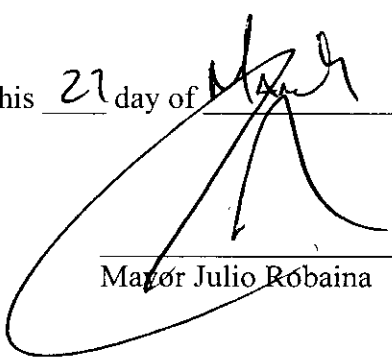
Esteban Bovo
Council President

Attest:

Approved on this 27 day of March, 2008.



Rafael E. Granado, City Clerk



Mayor Julio Robaina

Approved as to form and legal sufficiency:



William M. Grodnick, City Attorney

Ordinance was adopted by a 5-0-2 vote with Councilmembers Bovo, Caragol, Casals-Muñoz, Hernandez, and Yedra voting "Yes" and Councilmembers Garcia-Martinez and Gonzalez absent.